Image

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Zairen SUN

Serial No. : 09/996,956 Examiner: Susan Ungar, Ph.D

Filed : November 30, 2001 Group Art Unit: 1642

Title : PROSTATE POLYNUCLEOTIDES AND USES

SUBMISSION OF DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An unsigned copy of the Declaration was filed with our February 13, 2004 Response. The Declaration has now been executed by Applicant. Applicant respectfully requests that the Examiner replace this executed Declaration with the unsigned Declaration filed along with the Response.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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Date: March 3, 2004

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DECLARATION

1. I, Zairen Sun, Ph.D., am an inventor of the subject matter described and claimed in the above-identified U.S. Patent Application (hereinafter, "the Application") which is assigned to OriGene Technologies.

2. It is stated in the Application that Pr33a is selectively expressed in the prostate. See, e.g., Application, Page 3, lines 7-9; Page 3, lines 25-30. This information was obtained from experiments, including the experiment described below, which was performed by me, or under my supervision.

3. Fig. 1 shows the expression pattern of Pr33a in human tissues in a twenty-four tissue panel. 1, brain; 2, heart 3, kidney; 4, spleen; 5, liver; 6, colon; 7, lung; 8, small intestine; 9, muscle; 10, stomach; 11, testis; 12, placenta; 13, salivary gland; 14, thyroid; 15, adrenal gland; 16, pancreas; 17, ovary; 18, uterus; 19, prostate; 20, skin; 21, PBL; 22, bone marrow; 23, fetal brain; 24, fetal liver. As clearly observed in the tissue panel, Pr33a is detected only in prostate tissues, but not in the other 23 tissues which were tested.

4. The results described in Fig. 1 were obtained according to the following procedures:

Polyadenylated mRNA was isolated from tissue samples, and used as a template

for first-strand cDNA synthesis. The resulting cDNA samples were normalized using beta-actin as a standard. For the normalization procedure, PCR was performed on aliquots of the first-strand cDNA using beta-actin specific primers. The PCR products were visualized on an ethidium bromide stained agarose gel to estimate the quantity of beta-actin cDNA present in each sample. Based on these estimates, each sample was diluted with buffer until each contained the same quantity of beta-actin cDNA per unit volume.

To detect gene expression, PCR was carried out on aliquots of the normalized tissue samples using gene-specific bases disclosed on Page 13 of the application,

PR33F (forward) TCATGAGGCATTTCAGAGTGC (SEQ ID NO 8)

PR33R (reverse) CCTCAGAAATCTCAGGGCTTGT (SEQ ID NO 10).

The reaction products were loaded on to an agarose (e.g., 1.5-2%) gel and separated electrophoretically. The lane at the far left of the panel contains molecular weight standards.

5. I declare further that all statements made in this Declaration are of my own knowledge and are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Zairen Sun

2/17/2004

Date